

A marine aspect on the Swedish Real Property Register Marine Cadastre

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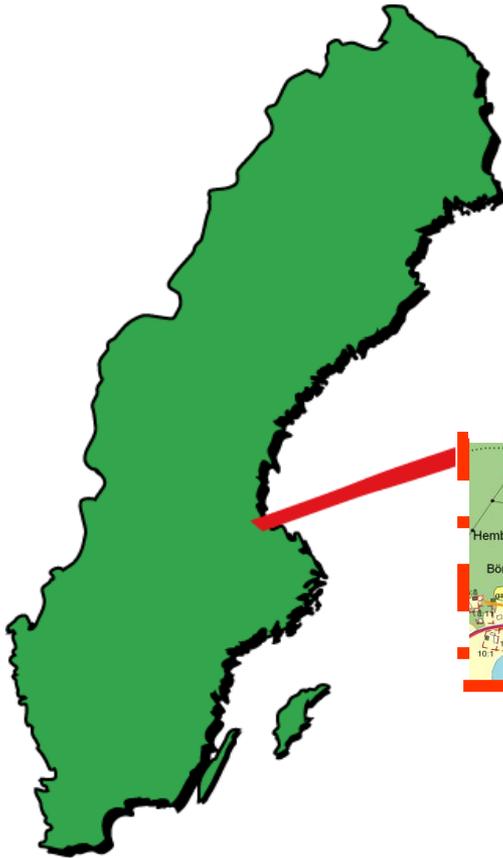
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Sofia, Bulgaria

The Real Property Register in Sweden

- All of Sweden is divided into real property units
 - Location
 - Ownership
 - Physical attributes
 - Economical information
- Unified information contents
- Supported by legislation
- Combination of land related information
- The essential purpose of the Real Property Register is:
 - Publicity
 - Good quality
 - National coverage
 - To be the national source of official real property information
- Well developed cooperation with other authorities and organisations is central for the real property register

The Information



Real Property Part Register and Index map

- ▶ Properties
 - ▶ Designations
 - ▶ Area
 - ▶ Legal Survey
 - ▶ Etc
- ▶ Plans/Regulation
- ▶ Rights (servitudes/easements)

Land Register Part

- ▶ Title
- ▶ Leasehold
- ▶ Mortgage
- ▶ Etc

Address Part

- ▶ Address unit

Building Part

- ▶ Building unit

Property Tax Part

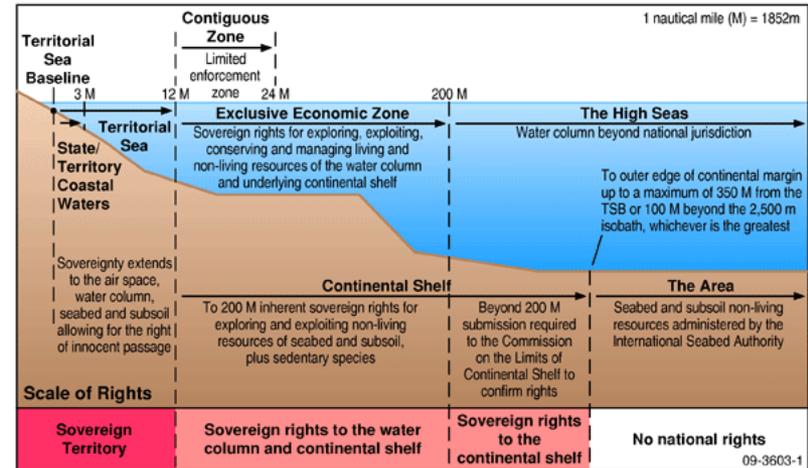
- ▶ Assessed value
- ▶ Basis for valuation



The principle of public access to official documents

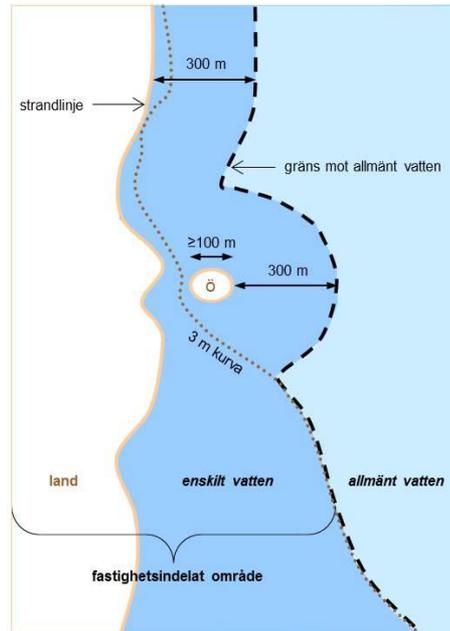
- According to the Swedish constitution
- Activities of the authorities are as far as possible transparent
- Anyone from the public or media have the right to take part of official documents
- All of our data can be accessed according to this principle
- Unless in case of secrecy - threat to national security (e.g. sensible properties) or to personal integrity (regards only people with protected identity).
- No digital delivery
- Most common users: media, associations, companies in the real estate industry, general public

International Context



Conserve and sustainably use the oceans, seas and marine resources for sustainable development

State of Play Sweden




SWEDISH MARITIME ADMINISTRATION

KAMMARKOLLEGIET
Swedish Agency for Marine and Water Management

Marine Cadastre in Europe
 a preliminary study
 Brief edition
 September 2016



Commissioned by:





New legislation

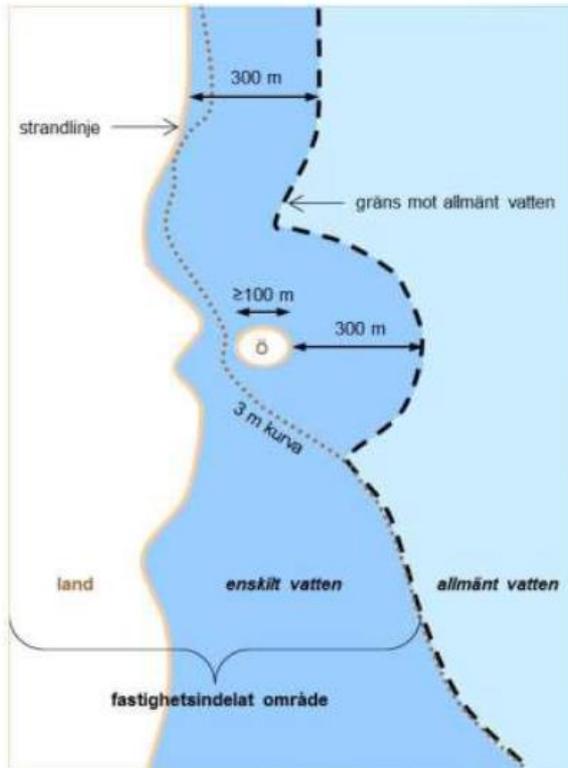
- Sweden 's territorial waters and maritime zones, Law (2017:1272) 1 March 2018
- Changes in the law (1950:595) boundary to public water 2019

Figur 2.4 Översiktlig skiss över avgränsningslinjer för sjöterritorier och maritima zoner längs Sveriges kust.



The Law on Boundary to Public Water Sweden

Figur 7.1 Principskiss av huvudregeln för fastigheters gräns mot allmänt vattenområde i havet



- The Law (1950:595) on Boundary to Public Water defines the context of public water. “A water area in the sea is public (public water) if not included in a real property (private water)”.
- Sweden has public water along the coastline, the Swedish islands, and in the following four lakes:
 - Vänern, Vättern, Hjälmarén and Storsjön.
- In Sweden a real property consists of land and can also include water (e.g. in the sea, lakes, rivers and wetlands) as well as buildings

Visualize the boundaries between private and public water on the digital cadastral map



Preparing a memo as to possible scope, interested parties, resources needed etc. during 2018

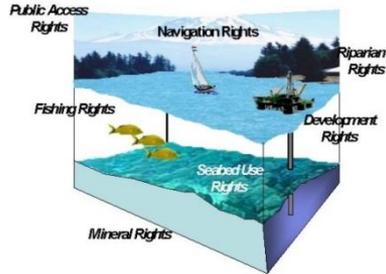


Figure 1: The Marine Parcel (after Sutherland, 2001)

Marine cadastre/ Land cadastre



- The importance of the maritime area as well as the land area
- The need of reliable information, and the need to combine and share data throughout different organizations
- The zoning into different areas taking into consideration various factors
- The need for efficient planning and management; as to environmental protection, fishing, tourism, transport, ancient remains, etc.
- Rights and restrictions in relation to location and boundaries
- The need of information (marine knowledge), increasing as to the maritime areas
- The textual data and mapping data combined
- 3D or even 4D data

Land Tenure

The Chamber of State Administration (Kammarkollegiet) manages the disposition rights on public water

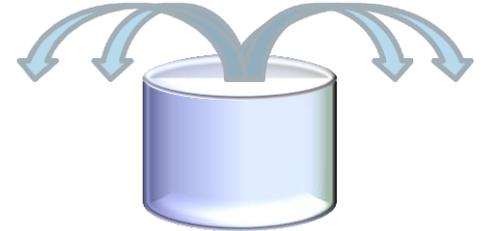
The Swedish Maritime Administration (Sjöfartsverket) manages disposition rights for waterways and harbours

The disposition right is needed for e.g. environmental impact assessment, a prerequisite for water activities

Records exist



Marine Cadastre/ Development of a database for disposition rights on public water



- Alternatives
 - Include additional type of real property in the Real Property Register
 - Extend the information in the real property register with a new right
 - New register in close connection to the Real Property Register
 - Preparing a PM on the alternatives during 2018

Marine Cadastre – Filling the Gap?

- Indicators for human-induced pressures on the Baltic.
 - A marine cadastre (MC) could provide further input to indicators related to rights in the assessment of human-induced pressures.
- Human activities in the Baltic Sea and its drainage area contribute to pressures that act on the Baltic Sea environment
 - MC together with Land Cadastre (LC) supports the integration of land sea interaction
- Which ecosystem components and areas do not achieve a good status? What are the major pressures in these areas? What are the underlying human activities? How is human welfare affected by the current state of the sea? Are there areas of risk in relation to future expansion of activities?
 - MC in an analogy to LC helps clarifying legal certainty.

Marine Cadastre – Filling the Gap?

- The land-based inputs, together with pressures arising from human activities at sea, influence the status of habitats and species, and eventually also on human well-being.
 - MC together with LC supports the integration of land sea interaction
- The Helsinki Convention encompasses the protection of the Baltic Sea from all sources of pollution from land, air, and sea based activities. It also commits the signatories to take measures to conserve habitats and biological diversity and to ensure sustainable use of marine resources.
 - MC could be one piece in supporting environmental management by keeping track of rights

Marine Cadastre – Filling the Gap?

- Examples of human activities of importance in the Baltic Sea and their spatial distribution: a) finfish aquaculture sites, b) location of pipelines, c) location of offshore wind farms, d) shipping intensity, and e) intensity of bottom trawling, f) dredging sites and dredging material deposit sites. The spatial distribution of the activities are dependent, for example, on the distribution of underlying resources and topography.
 - MC is a basic layer of an MSDI. For marine spatial planning a 3D concept could help to model the reality in a more transparent and non-ambiguous way, especially also because the UNCLOS uses 3D-parcels to distinguish features/properties/rights in the vertical dimension (air, water, seabed, subsurface, deep underground). Also the 4D (time) could be considered.

Thank you!

